

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHWESTERN DIVISION**

Donna Lunday, )  
                  )  
                  )  
Plaintiff,     )  
                  )  
vs.              )     Case No. 4:07-cv-084  
                  )  
Dirk Kempthorne, Secretary, United States )  
Department of Interior, or his Predecessor- )  
in-office; United States Department of    )  
Interior,        )  
                  )  
Defendants.     )

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On April 1, 2011, the parties filed a Stipulated Motion to Amend Join Scheduling Conference and Discovery Plan. The court **GRANTS** the parties' motion (Docket No. 41) and **ORDERS** that the scheduling order be amended as follows:

1. The parties shall have until May 20, 2011, to complete fact discovery; no party shall be required to respond to any discovery request which falls due after that date.
2. The parties shall have until June 10, 2011, to file other dispositive motions (summary judgment as to all or part of the case).
3. Plaintiff shall have until September 30, 2011, to provide the names of expert witnesses and complete reports under Fed. R. Civ. P. 26(a)(2). Defendant shall have until October 31, 2011, to provide the names of expert witnesses and complete reports under Fed. R. Civ. P. 26(a)(2). (Treating physicians need not prepare reports, only qualifications, unless they will express opinions not reflected in the medical records.) (Reports are to be served on other parties, but not filed with the Court.) The parties shall have until November 30, 2011, to conduct expert discovery.

The court further **ORDERS** that the bench trial set for November 14, 2011, shall be rescheduled for January 17, 2012, at 9:30 a.m. in Minot before Judge Hovland (4 days). The final pretrial conference shall be rescheduled for January 3, 2012, at 10:00 a.m. via telephone. The court shall initiate the conference call.

**IT IS SO ORDERED.**

Dated this 5th day of April, 2011.

*/s/ Charles S. Miller, Jr.*  
Charles S. Miller, Jr.  
United States Magistrate Judge